

THE HONORABLE JAMES L. ROBART

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MICROSOFT CORPORATION,
Plaintiff,

vs.

MOTOROLA, INC., et al.,
Defendants.

MOTOROLA MOBILITY, INC., et al.,
Plaintiffs,

vs.

MICROSOFT CORPORATION,
Defendants.

Case No. C10-1823-JLR

JOINT MOTION TO STAY ALL
PATENT-INFRINGEMENT RELATED
CASES AND CLAIMS BETWEEN THE
PLAINTIFF MICROSOFT AND
DEFENDANTS MOTOROLA, *ET AL.*

NOTED: TUESDAY, JULY 10, 2012

Plaintiff Microsoft Corporation (“Microsoft”), and defendants Motorola, Inc. (n/k/a Motorola Solutions, Inc.), Motorola Mobility, Inc., and General Instrument Corporation (collectively “Motorola” and together with Microsoft, the “Parties”), respectfully request that this Court enter an order staying all patent infringement claims pending between the parties

JOINT MOTION TO STAY ALL PATENT-
INFRINGEMENT RELATED CASES AND
CLAIMS BETWEEN THE PLAINTIFF
MICROSOFT AND DEFENDANTS
MOTOROLA, ET AL.- 1

LAW OFFICES
DANIELSON HARRIGAN LEYH & TOLLEFSON LLP
999 THIRD AVENUE, SUITE 4400
SEATTLE, WASHINGTON 98104
TEL, (206) 623-1700 FAX, (206) 623-8717

1 under Case Numbers 10-cv-1823, 11-cv-595, and 11-cv-1408 (the “1823 Action,” “595
2 Action,” and “1408 Action,” respectively).¹

3 The Parties are proposing the stay in order to permit the Court and the parties to
4 concentrate their efforts on the RAND license issues that are the subject of the November 13,
5 2012 trial in the 1823 Action.

6 In order to allow the Court and the Parties to focus on the license issues in the 1823
7 Action, the Parties agree to stay all litigation between them pending before this Court (the
8 1823, 595, and 1408 Actions), other than:

- 9 (a) the Court’s ruling in the 1823 Action on Microsoft’s Motion for Partial
10 Summary Judgment Dismissing Motorola’s Claim for Injunctive Relief (ECF
11 No. 141);
12 (b) the Markman hearing scheduled for July 20, 2012 in the 1408 Action;
13 (c) pre-trial and trial on the RAND issues in the RAND trial commencing on
14 November 13, 2012; and
15 (d) the 9th Circuit appeal of the District Court’s anti-suit injunction.

16 The Parties further agree that the stay shall remain in place until the later of:

- 17 (i) the 9th Circuit’s decision on Motorola’s appeal of the Court’s anti-suit
18 injunction order; and
19 (ii) a final decision on the RAND issues in Civ. No. 1823, including, if appealed by
20 either party, a final decision by the appellate courts.

21 The Parties have submitted a Proposed Form of Order herewith.
22
23
24

25 ¹ The Parties also are presenting a joint motion to stay *Motorola Mobility, Inc. v. Microsoft Corp.*, Case No. 11-
cv-01953 (W.D. Wash.), which is currently pending before Judge Martinez.

DATED this 10th day of July, 2012.

DANIELSON HARRIGAN LEYH &
TOLLEFSON LLP

By s/ Arthur W. Harrigan
Arthur W. Harrigan, Jr., WSBA #1751
Christopher Wion, WSBA #33207
Shane P. Cramer, WSBA #35099

By s/ T. Andrew Culbert
T. Andrew Culbert, WSBA #35925
David E. Killough, WSBA #21119
MICROSOFT CORPORATION
1 Microsoft Way
Redmond, WA 98052
Phone: 425-882-8080
Fax: 425-869-1327

David T. Pritikin (*pro hac vice*)
Richard A. Cederoth (*pro hac vice*)
Constantine L. Trela, Jr. (*pro hac vice*)
Ellen S. Robbins (*pro hac vice*)
Douglas I. Lewis (*pro hac vice*)
David C. Giardina (*pro hac vice*)
John W. McBride (*pro hac vice*)
David Greenfield (*pro hac vice*)
SIDLEY AUSTIN LLP
One South Dearborn
Chicago, IL 60603
Phone: 312-853-7000
Fax: 312-853-7036

SUMMIT LAW GROUP PLLC

By s/ Ralph Palumbo
Ralph Palumbo, WSBA #04751
Philip S. McCune, WSBA #21081
Lynn M. Engel, WSBA #21934

By s/ K. McNeill Taylor, Jr.
K. McNeill Taylor, Jr.
MOTOROLA MOBILITY, INC.
MD W4-150
600 North U.S. Highway 45
Libertyville, IL 60048-1286
Phone: 858-404-3580
Fax: 847-523-0727

And by

Steven Pepe (*pro hac vice*)
Jesse J. Jenner (*pro hac vice*)
Stuart W. Yothers (*pro hac vice*)
Ropes & Gray LLP
1211 Avenue of the Americas
New York, NY 10036-8704
(212) 596-9046

JOINT MOTION TO STAY ALL PATENT-
INFRINGEMENT RELATED CASES AND
CLAIMS BETWEEN THE PLAINTIFF
MICROSOFT AND DEFENDANTS
MOTOROLA, ET AL.- 3

LAW OFFICES
DANIELSON HARRIGAN LEYH & TOLLEFSON LLP
999 THIRD AVENUE, SUITE 4400
SEATTLE, WASHINGTON 98104
TEL, (206) 623-1700 FAX, (206) 623-8717

1 Carter G. Phillips (*pro hac vice*)
2 Brian R. Nester (*pro hac vice*)
3 SIDLEY AUSTIN LLP
4 1501 K Street NW
5 Washington, DC 20005
6 Telephone: 202-736-8000
7 Fax: 202-736-8711

8
9 **Counsel for Microsoft Corp.**

Norman H. Beamer (*pro hac vice*)
Gabrielle E. Higgins, (*pro hac vice*)
Ropes & Gray LLP
1900 University Avenue, 6th Floor
East Palo Alto, CA 94303-2284
(650) 617-4030

Paul M. Schoenhard (*pro hac vice*)
Kevin J. Post (*pro hac vice*)
Ropes & Gray LLP
One Metro Center
700 12th Street NW, Suite 900
Washington, DC 20005-3948
(202) 508-4693

Attorneys for Motorola Solutions, Inc.
(f/k/a Motorola, Inc.), Motorola Mobility,
Inc., and General Instrument Corporation